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Legend: (Proposed Amendment)

Single Underline = Proposed new language

[Bold print and brackets] = Current language proposed for deletion

Regular Print = Current language

(No change.) = No changes are being considered for the designated subdivision

§129.4. Fees.

(a) Schedule of fees. The fees are as follows:

(1) - (2) (No change.)

(3) registration renewal fee

(A) for a registration issued for one year --\$50;

(B) for a registration issued for two years --\$100;

(4) dual registration renewal fee

(A) for a registration issued for one year --\$80;

(B) for a registration issued for two years - - \$160;-

(5) - (7) (No change.)

(b) - (c) (No change.)

(d) For all applications and renewal applications, the department is authorized to collect fees to fund the Office of Patient Protection, Health Professions Council, as mandated by law.

(e) For all applications and renewal applications, the department is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with application and renewal application processing through Texas Online.

§129.7. Issuance of Certificate of Registration.

(a) - (g) (No change.)

(h) Expiration of initial registration. The initial registration certificate is valid through the registrant's next birth month for a one or two year term, as determined by the department.

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§129.8. Renewal of Registration.

(a) (No change.)

(b) General.

(1) When issued, a registration certificate is valid through the registrant's next birth month for a one or two year term, as determined by the department.

(2) A registrant must renew the registration certificate in order to remain registered **[annually]**.

(3) Each registrant is responsible for renewing the registration certificate before the expiration date indicated on the face of the certificate and shall not be excused from paying the late registration fee. Failure to receive notification from the Texas Department of Health (department) prior to the expiration date of the registration certificate will not excuse failure to apply for renewal or late renewal.

(4) - (7) (No change.)

(c) - (e) (No change.)

§129.9. Requirements for Continuing Education.

(a) Purpose. The purpose of this section is to establish the continuing education requirements a registrant shall meet **[annually]** to maintain registration. The requirements are intended to maintain and improve the quality of services provided to the public by registered spectacle dispensing opticians and registered contact lens dispensers. Continuing education credit includes programs beyond the basic preparation which are designed to promote and enrich knowledge, improve skills, and develop attitudes for the enhancement of dispensing opticians, thus improving health care to the public. The Texas Department of Health (department) assumes dispensing opticians will maintain the high standards of the profession in selecting quality educational programs to fulfill the continuing education requirements.

(b) Number of hours required. Proof of having earned five contact hours of continuing education credit in each area for which the registrant is renewing shall be required at the time of renewal for each registration issued for a one year term, or proof of having earned ten contact hours of continuing education credit in each area for which the registrant is renewing shall be required at the time of renewal for each registration issued for a two year term. A contact hour is 50 minutes.

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(1) The hours must have been completed within 12 months prior to the date of expiration of a [the] registration issued for a one year term, or within 24 months prior to the date of expiration of a registration issued for a two year term.

(2) (No change.)

(3) If applying for dual registration renewal the applicant must have a total of 10 contact hours of continuing education for a registration issued for a one year term, or 20 contact hours of continuing education for a registration issued for a two year term. Half of the **[Five]** contact hours must be offered or approved by the American Board of Opticianry and half of the [five] contact hours must be offered or approved by the National Contact Lens Examiners.

(c) (No change.)

(d) (No change.)

(e) Accrual carryover. Earned continuing education hours exceeding the minimum requirements in a previous renewal period shall first be applied to the continuing education requirements for the current renewal period. A maximum of five additional clock hours may be accrued during a registration period to be applied to the next consecutive renewal period. A maximum of 10 additional clock hours may be accrued for dual registrants during a registration period to be applied to the next consecutive renewal period. To be eligible for carryover, all hours earned must be reported to the department in the previous renewal period.

§129.11. Violations, Complaints, Investigation of Complaints, and Disciplinary Actions.

(a) - (c) (No change.)

(d) Investigation of complaints.

(1) - (4) (No change.)

(5) If the administrator determines that there are sufficient grounds to support the complaint, the administrator may propose to deny, suspend, revoke, probate, or not renew a registration **[with the concurrence or ratification of the Complaints Subcommittee, if such subcommittee exists].**

(6) (No change.)

(e) - (f) (No change.)

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(g) The department may impose an emergency suspension for a violation of the Act or this chapter is accordance with the procedures established in Occupations Code, §352.254.